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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Patent Application**

Inventor(s) M. L. Obradovich et al.

Case 9800.1037

Serial No. 10/782,581

Examiner TBA

Filing Date February 19, 2004

Group Art Unit 3661

Title Multimedia Information and Control System for Automobiles

**PRELIMINARY AMENDMENT  
AND INFORMATION DISCLOSURE STATEMENT**

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 28, 2004.

Alex L. Yip  
Attorney Name

34,759  
Registration No.

  
Signature

July 28, 2004  
Date of Signature

**COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450**

Sir:

Applicants submit herewith a Supplemental Information Disclosure Statement (IDS) by Applicant (1 page), listing additional references which are or may be material to the examination of the subject application. Copies of the additional references are enclosed. It is respectfully requested that they be made of record in the file history of the application.

Identification of references in the IDS is not to be construed as an admission by applicant or attorneys for applicants that such references are available as "prior art"

**Serial No. 10/782,581**

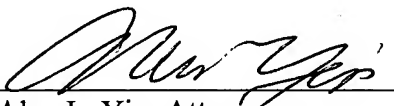
against the subject application. The right is reserved to antedate any listed reference in accordance with standard procedures.

In addition, applicants bring to the Examiner's attention Civil Action No. '04 CV 00614 DMS, which was brought by American Calcar Inc. against BMW of North America, LLC. before the United States District Court for the Southern District of California. This civil action is based on, among others, U.S. Patent No. 6,009,355 ("the '355 patent") issued on Application Serial No. 08/789,934 of which the present application claims priority. A copy of the cover page of the Complaint is enclosed for the PTO's records and file history of the present application. The names of the inventors of the '355 patent is Michael L. Obradovich, Michael L. Kent and John G. Dinkel. American Calcar Inc. is a Delaware corporation with its principal place of business at 1001 Avenida Pico C139, San Clemente, California. BMW of North America, LLC is a New Jersey limited liability company with its principal place of business at 300 Chestnut Ridge Road, Woodcliff Lake, New Jersey.

The Commissioner is authorized to charge any required fee for filing this IDS to Deposit Account No. 50-0988.

Respectfully,

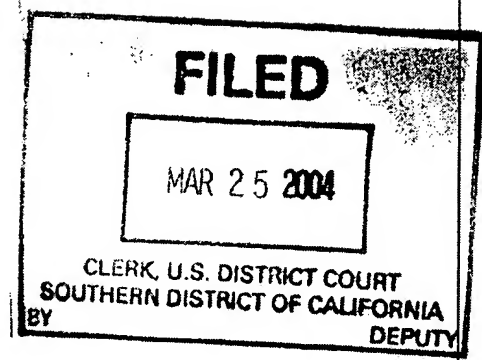
Michael L. Obradovich  
Michael L. Kent  
John G. Dinkel

By   
Alex L. Yip, Attorney  
Reg. No. 34,759  
212-836-7363

Date: July 28, 2004  
Enclosures



BEST AVAILABLE COPY



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12 AMERICAN CALCAR, INC.

13  
14 IN THE UNITED STATES DISTRICT COURT  
15  
16 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

17	AMERICAN CALCAR INC.,	)	Civil Action No.
18	a Delaware corporation,	)	'04 CV 00614 DMS (LSP)
19		)	
20	Plaintiff,	)	COMPLAINT FOR INFRINGEMENT
21		)	OF U.S. PATENT NOS. 6,009,355;
22	v.	)	6,148,261; 6,275,231; 6,282,464;
23		)	6,330,497; 6,438,465; 6,459,961;
24	BMW OF NORTH AMERICA, LLC,	)	6,529,824; 6,542,795; 6,587,758;
25	a New Jersey limited liability company,	)	6,587,759; 6,703,944
26		)	
27	Defendant.	)	DEMAND FOR JURY TRIAL
28		)	
		)	
		)	

29 Plaintiff AMERICAN CALCAR INC. hereby complains of Defendant BMW OF  
30 NORTH AMERICA, LLC, and alleges as follows:

31 JURISDICTION AND VENUE

- 32 1. This action for patent infringement arises under the patent laws of the United  
33 States, Title 35, United States Code, more particularly, 35 U.S.C. §§ 271 and 281.
- 34 2. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).
- 35 3. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(c) and 1400(b).

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